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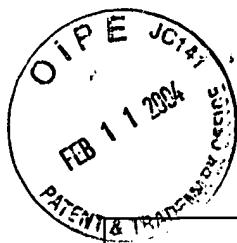
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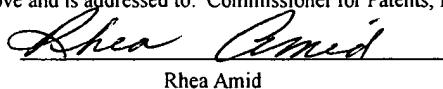


PATENT  
Docket No. 511582001810

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EV 273020253 US Date of Deposit: February 11, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Rhea Amid

Rhea Amid

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Daniel E. H. AFAR et al.

Serial No.: 09/887,593

Filing Date: June 21, 2001

For: BCP-1: A SECRETED BRAIN-SPECIFIC PROTEIN EXPRESSED AND SECRETED BY PROSTATE AND BLADDER CANCER CELLS

Examiner: Gary B. Nickol

Group Art Unit: 1642

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FEB 20 2004

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith on CD-R due to length. The Examiner is requested to make these documents of record.

02/17/2004 BSAYASI1 00000046 031952 09887593

01 FC:1806 180.00 DA

This Information Disclosure Statement is submitted:

- With the application; accordingly, no fee or separate requirements are required.
- Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - A fee is required. A check in the amount of \_\_ is enclosed.
  - A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of \_\_ is enclosed.
  - A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **511582001810**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

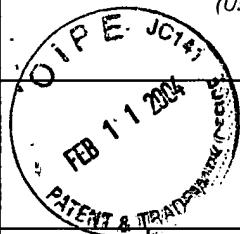
Dated: February 10, 2004

Respectfully submitted,

By: Kate Murashige  
Kate Murashige  
Registration No. 29,959

Morrison & Foerster LLP  
3811 Valley Centre Drive  
Suite 500  
San Diego, California 92130-2332  
Telephone: (858) 720-5112  
Facsimile: (858) 720-5125

|  |  |                                |                               |
|--|--|--------------------------------|-------------------------------|
| Form PTO-1449<br><br>INFORMATION DISCLOSURE CITATION<br>IN AN APPLICATION<br><br>(Use several sheets if necessary) |  | Docket Number 511582001810     | Application Number 09/887,593 |
|  |  | Applicant                      | Daniel E. H. AFAR et al.      |
|  |  | Filing Date June 21, 2001      | Group Art Unit 1642           |
|  |  | Mailing Date February 21, 2004 |                               |



U.S. PATENT DOCUMENTS

| Examiner Initials | Ref. No. | Date | Document No. | Name | Class | Subclass | Filing Date If Appropriate |
|-------------------|----------|------|--------------|------|-------|----------|----------------------------|
|                   |          |      |              |      |       |          |                            |

FOREIGN PATENT DOCUMENTS

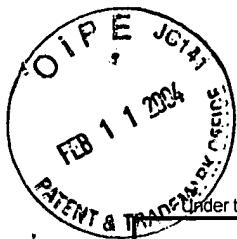
| Examiner Initials | Ref. No. | Date    | Document No. | Country | Class | Subclass | Translation<br>YES      NO |
|-------------------|----------|---------|--------------|---------|-------|----------|----------------------------|
|                   | 1.       | 09/2000 | EP1033401    | EPO     |       |          |                            |
|                   | 2.       | 02/2000 | WO200009691  | WIPO    |       |          |                            |
|                   | 3.       | 08/2002 | WO200259275  | WIPO    |       |          |                            |
|                   | 4.       | 11/2002 | WO200290504  | WIPO    |       |          |                            |
|                   | 5.       | 04/2003 | WO2003027228 | WIPO    |       |          |                            |

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

| Examiner Initials | Ref. No. | Title |
|-------------------|----------|-------|
|                   |          |       |

|  |                  |
|--|------------------|
| EXAMINER:  | DATE CONSIDERED: |
| EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant. |                  |



02-13-04

1642

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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CD

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|  |             |                        |                   |
|--|-------------|------------------------|-------------------|
| Total Number of Pages in This Submission | 7 + 1<br>CD | Application Number     | 09/887,593        |
|  |             | Filing Date            | June 21, 2001     |
|  |             | First Named Inventor   | Daniel E. H. AFAR |
|  |             | Art Unit               | 1642              |
|  |             | Examiner Name          | G. Nickol         |
|  |             | Attorney Docket Number | 511582001810      |

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### ENCLOSURES (Check all that apply)

|   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form, <i>in duplicate</i> | <input type="checkbox"/> Drawing(s)  | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input type="checkbox"/> Fee Attached   | <input type="checkbox"/> Licensing-related Papers  | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input type="checkbox"/> Amendment/Reply                                      | <input type="checkbox"/> Petition  | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> Petition to Convert to a Provisional Application                  | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                            | <input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                            | <input type="checkbox"/> Terminal Disclaimer   | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):            |
| <input type="checkbox"/> Express Abandonment Request                          | <input type="checkbox"/> Request for Refund  | Form 1449, 1 page<br>Return Postcard   |
| <input checked="" type="checkbox"/> Information Disclosure Statement          | <input checked="" type="checkbox"/> CD, Number of CD(s) <u>1</u>                           |  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)               |  |  |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application    |  |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53  |  |  |

Remarks

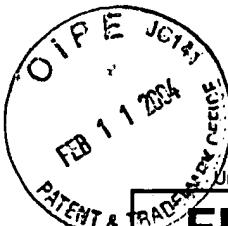
**CUSTOMER NO. 25225**

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                         |   |
|-------------------------|---|
| Firm or Individual name | MORRISON & FOERSTER LLP<br>Kate H. Murashige - 29,959 |
| Signature               |   |
| Date                    | February 11, 2004                                     |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 273020253 US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 2-11-04 Signature (Rhea Amid)



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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180.00)

## Complete if Known

|                      |                   |
|----------------------|-------------------|
| Application Number   | 09/887,593        |
| Filing Date          | June 21, 2001     |
| First Named Inventor | Daniel E. H. AFAR |
| Examiner Name        | G. Nickol         |
| Art Unit             | 1642              |
| Attorney Docket No.  | 511582001810      |

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FEB 20 2004

## METHOD OF PAYMENT (check all that apply)

 Check  Credit Card  Money Order  Other  None

 Deposit Account:

Deposit Account Number 03-1952, ref 511582001810

Deposit Account Name Morrison &amp; Foerster LLP

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

## FEE CALCULATION (continued)

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description        | Fee Paid |
|---------------|---------------|------------------------|----------|
| 1001 770      | 2001 385      | Utility filing fee     |          |
| 1002 340      | 2002 170      | Design filing fee      |          |
| 1003 530      | 2003 265      | Plant filing fee       |          |
| 1004 770      | 2004 385      | Reissue filing fee     |          |
| 1005 160      | 2005 80       | Provisional filing fee |          |

SUBTOTAL (1) (\$ 0.00)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       | Extra Claims | Fee from below   | Fee Paid |
|--------------------|--------------|--|----------|
|                    | -20**        | = <input type="text"/> x <input type="text"/> = <input type="text"/> |          |
| Independent Claims | -3**         | = <input type="text"/> x <input type="text"/> = <input type="text"/> |          |

| Large Entity  | Small Entity  | Fee Description  |
|---------------|---------------|--|
| Fee Code (\$) | Fee Code (\$) |  |
| 1202 18       | 2202 9        | Claims in excess of 20                                     |
| 1201 86       | 2201 43       | Independent claims in excess of 3                          |
| 1203 290      | 2203 145      | Multiple dependent claim, if not paid                      |
| 1204 86       | 2204 43       | ** Reissue independent claims over original patent         |
| 1205 18       | 2205 9        | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 0.00)

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 1051 130                   | 2051 65                    | Surcharge - late filing fee or oath  |          |
| 1052 50                    | 2052 25                    | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130                   | 1053 130                   | Non-English specification  |          |
| 1812 2,520                 | 1812 2,520                 | For filing a request for ex parte reexamination                            |          |
| 1804 920*                  | 1804 920*                  | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*                | 1805 1,840*                | Requesting publication of SIR after Examiner action                        |          |
| 1251 110                   | 2251 55                    | Extension for reply within first month                                     |          |
| 1252 420                   | 2252 210                   | Extension for reply within second month                                    |          |
| 1253 950                   | 2253 475                   | Extension for reply within third month                                     |          |
| 1254 1,480                 | 2254 740                   | Extension for reply within fourth month                                    |          |
| 1255 2,010                 | 2255 1,005                 | Extension for reply within fifth month                                     |          |
| 1401 330                   | 2401 165                   | Notice of Appeal   |          |
| 1402 330                   | 2402 165                   | Filing a brief in support of an appeal                                     |          |
| 1403 290                   | 2403 145                   | Request for oral hearing   |          |
| 1451 1,510                 | 1451 1,510                 | Petition to institute a public use proceeding                              |          |
| 1452 110                   | 2452 55                    | Petition to revive - unavoidable   |          |
| 1453 1,330                 | 2453 665                   | Petition to revive - unintentional   |          |
| 1501 1,330                 | 2501 665                   | Utility issue fee (or reissue)   |          |
| 1502 480                   | 2502 240                   | Design issue fee   |          |
| 1503 640                   | 2503 320                   | Plant issue fee  |          |
| 1460 130                   | 1460 130                   | Petitions to the Commissioner  |          |
| 1807 50                    | 1807 50                    | Processing fee under 37 CFR 1.17(q)  |          |
| 1806 180                   | 1806 180                   | Submission of Information Disclosure Stmt                                  | 180.00   |
| 8021 40                    | 8021 40                    | Recording each patent assignment per property (times number of properties) |          |
| 1809 770                   | 2809 385                   | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810 770                   | 2810 385                   | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 770                   | 2801 385                   | Request for Continued Examination (RCE)                                    |          |
| 1802 900                   | 1802 900                   | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 180.00)

| SUBMITTED BY      |                          | (Complete if applicable)          |                   |                          |
|-------------------|--------------------------|-----------------------------------|-------------------|--------------------------|
| Name (Print/Type) | Kate H. Murashige        | Registration No. (Attorney/Agent) | 29,959            | Telephone (858) 720-5112 |
| Signature         | <i>Kate H. Murashige</i> | Date                              | February 11, 2004 |                          |